

**BEFORE THE REGISTER OF WILLS OF BUCKS COUNTY,
PENNSYLVANIA**

2015 JUN 22 A 11: 56

NO: 2015-01733

In re:

**ESTATE of THOMAS JOHN FRENCH, Deceased
a/k/a THOMAS J. FRENCH, Deceased**

RECEIVED
COUNTY OF BUCKS
REGISTER OF WILLS

**PETITION BY CLAIRE ANN RISOLDI-FRENCH FOR
PROBATE OF A PHOTOCOPY OF ORIGINAL WILL**

This Petition of Claire Ann Risoldi-French, by her attorney, Peter N. Harrison, Esquire, respectfully represented that:

1. Claire Ann Risoldi-French, is the "Petitioner" herein, and she is the wife and surviving spouse of Thomas John French, a/k/a Thomas J. French, the "Decedent".
2. The present domicile of Petitioner and the domicile of Decedent prior to his death was 5781 Stony Hill Road, Buckingham Township, Bucks County, Pennsylvania, which is identified in this Petition as "the residence".
3. Petitioner and decedent were married on October 16, 2013, and a copy of their marriage certificate is attached hereto.
4. Because of fire damage to the residence in October 2014, Petitioner and Decedent moved their living facilities to a single family residence at 4940

Danielle Drive, Doylestown (Buckingham Township), Bucks County, PA, 18902.

5. Decedent died on February 5, 2015, and his death is identified in the Death Certificate attached to a Petition for Probate, filed separately with this Petition to the Register of Wills.
6. Petitioner believes and therefore alleges that she and Decedent's son, Thomas John French, Jr., a/k/a Thomas J. French, Jr., [REDACTED] [REDACTED], are Decedent's only known and identifiable surviving intestate heirs and next of kin.
7. On September 12, 2013, Decedent executed his Last Will and Testament, a copy of which is attached as an Exhibit hereto and hereafter called "the will" or "Decedent's will".
8. The will was executed by Decedent in the presence of two subscribing witnesses named Karl Morris of Yardley, Bucks County, PA and Thomas Clinton of Pipersville, Bucks County, PA, who signed their names as subscribing witnesses at the end of the will in the presence of Notary Public Pola Michaels who duly acknowledged the signatures of all persons who signed this will, including the Decedent.
9. Karl Morris and Thomas Clinton each have executed an Oath of Subscribing Witnesses to the will, a copy of which is attached as an Exhibit hereto.

10. Petitioner is the sole beneficiary under the Decedent's will dated September 12, 2013.

11. At the time of his death on February 5, 2015, Decedent and Petitioner were still married to each other.

12. For a period of time prior to their marriage and at all times during their marriage, Petitioner and Decedent resided together in the residence, and after the fire they resided at the 4940 Danielle Drive house.

13. Decedent kept and maintained the original of the copy of the will that is attached as Exhibit hereto and sought to be admitted for probate at this time in an office he maintained on the second floor bedroom area of the residence, where he also maintained other important original documents.

14. On or about October 22, 2013, the residence was severely damaged by a fire ("the fire") that originated in the attic of the residence, which is the floor immediately above the second floor area that contained the Decedent's office where he kept the original of his will and other important documents.

15. The fire as well as the firefighting and fire retardant and fire restraining substances and materials including substantial amounts of water that were applied by firefighting personnel to the fire in the residence severely damaged the residence from the attic downward, including the location in which

Decedent's office was located and where Petitioner believes Decedent stored the original of his will and originals of other important documents.

16. Petitioner believes that Decedent's original will as well as other original documents of the Decedent's were destroyed as a result of the aforesaid fire and fire fighting activities in the residence.

17. Petitioner has no evidence or reason to believe that Decedent ever destroyed or revoked the original of his will, the copy attached hereto as an Exhibit.

18. Since the time Petitioner's family acquired the residence on or about December 26, 2004, and they later began residing therein, Petitioner's adult son, Carlo Risoldi, Petitioner's adult daughter-in-law, Sheila Risoldi who is Carlos's wife, and their two minor daughters (Petitioner's grandchildren) resided in separate but attached independent living accommodations located on the first floor, basement area of the residence, and they continuously resided in that area of the residence until after the fire in the residence.

19. Decedent and Petitioner's son, Carlo Risoldi, became very close friends and likened each other as brothers.

20. As a result of the aforesaid relationship between Decedent and Petitioner's son, Carlo Risoldi, Decedent entrusted Carlo Risoldi to take possession of copies of important documents Decedent had deposited in his second-floor

office, which documents included, among other things, the Decedent's original will and several motor vehicle titles.

21. Because Decedent had entrusted possession of the important documents to Carlo Risoldi, it was Carlo Risoldi who produced the copy of the will after Decedent passed away, and he provided it to Petitioner who attaches it to this Petition to support her request that this copy of Decedent's will be admitted for probate, for the reasons set forth in this Petition, which explain the absence of the original will, and the inability to provide the original will for probate

22. Petitioner, and other members of her family have made a diligent search in all accessible locations where it may have been likely that Decedent stored and maintained the original of his will, but they have been unable to find or identify the location of the original of the Decedent's will.

23. Thomas John French, Jr., a/k/a Thomas J. French, Jr., who is the Decedent's son, was requested by within named counsel for Petitioner to sign a Renunciation in favor of Petitioner to serve as Executrix of the Decedent's estate under the copy of Decedent's will hereby offered for probate, and although he indicated at the time so requested that he may sign a Renunciation, he now has declared that he will not do so.

24. Decedent's son also was requested to sign a Disclaimer of his right to inherit from Decedent's estate in favor of Petitioner, and although he indicated at the

time so requested that he may sign a Disclaimer, he now has declared that he will not do so.

25. Petitioner has prepared a Petition for Probate, which is submitted for consideration simultaneously with this Petition, under which she requests Letters Testamentary to be granted to her, Claire Ann Risoldi-French, for the Estate of her husband, Thomas J. French, Deceased, a/k/a Thomas John French, Deceased.

26. The appointment of Petitioner as Executrix for the Decedent's Estate under decedent's will dated September 12, 2013, a copy of which is hereby offered for probate at this time, is beneficial and necessary as a result of the pending legal proceedings related to Decedent and the identification and recovery of the assets of the decedent's estate and identification and payment of his debts and bills, as well as to resolve possible future legal claims related to the fire, Decedent's property rights and liabilities, and generally to promote the welfare and best administration of Decedent's Estate, without which Decedent's testamentary intentions and wishes identified in the will could not be fulfilled, and there would be no personal representative to represent Decedent's interests regarding any of the legal proceedings associated with or related to the fire, pertaining to the Decedent's Estate, or applicable to all the other matters relevant and related to Decedent's death and his Estate.

WHEREFORE, Petitioner respectfully requests that a Citation be issued to Thomas J. French, Jr., a/k/a Thomas John French, Jr. and to all other known and identifiable intestate heirs of the Decedent, Thomas J. French, Deceased, a/k/a Thomas John French, Deceased, to show cause why this Petition should not be granted and why Letters Testamentary should not be granted to Claire Ann Risoldi-French as Executrix for the Estate of Thomas John French, Deceased, a/k/a Thomas J. French, Deceased.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter N. Harrison", is written over the typed name.

Peter N. Harrison
Attorney for Petitioner
Claire Ann Risoldi-French
107 East Court Street
P.O. Box 6
Doylestown, PA 18901

(215) 348-5322

COMMONWEALTH OF PA
County BUCKS

VERIFICATION

I, Claire Ann Risoldi-French, verify that I am the Petitioner in this matter, and that all the facts set forth in the Petition to Admit Copy of Original Will to Probate are true and correct to the best of my knowledge, information and belief. I further understand that false statements herein are made subject to the penalties of 18 PA CSA 4904 relating to unsworn falsification to authorities.

Date:

5-5-15

Claire A. Risoldi-French
Claire Ann Risoldi-French

Sworn and subscribed before me
4th 5th day of May 2015.

Jane M. Yates

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

Jane M. Yates, Notary Public

New Hope Boro, Bucks County

My Commission Expires Aug. 18, 2016

MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Court of Common Pleas of Bucks County, Pennsylvania

ORPHANS' COURT DIVISION

Marriage Certification

Commonwealth of Pennsylvania } ss
County of Bucks

I, Donald Pettrille, Jr., Clerk of the Orphans' Court Division in and for the County of
Bucks, Do Hereby Certify that

Thomas John French and Claire Ann Risoldi

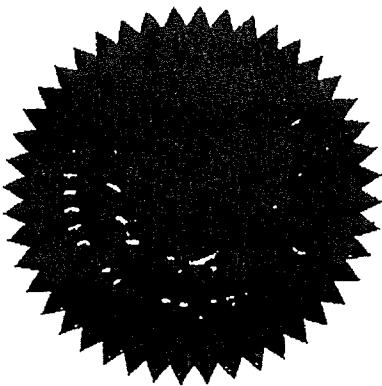
were united in marriage on the 16th day of October, 2013,

at New Hope, Bucks County, Pennsylvania

by Laurence D. Keller, Nondenominational, Mayor

in accordance with license issued by the

Clerk of the Orphans' Court Division of Bucks County, number 714/170.



In Witness Whereof I have hereunto set my hand and
Official Seal, Doylestown, Pennsylvania, this

22nd day of October, 2013

Clerk of the Orphans' Court

LAST WILL & TESTAMENT

OF

THOMAS J. FRENCH

THOMAS J. FRENCH, a resident of the domiciled in Bucks County, Pennsylvania, being of sound and disposing mind, memory and understanding, do hereby make, publish and declare this as my Last Will and Testament, revoking all Wills and Codicils heretofore made by me.

I

I declare that I am not presently married.

II

For the purposes of this Will, a beneficiary is deemed to survive me only if the beneficiary is living on the sixtieth (60th) day following my death.

III

I give, bequeath and devise all of my Estate, real, personal and mixed of whatsoever nature and wheresoever situate, of which I shall die seized and possessed at the time of my death, to CLAIRE A. RISOLDI.

IV

I confer upon my Executor, with respect to the management and administration of any property, real or personal, including property held under a power in trust, the following discretionary powers, without limitation by reason of specification:

1. To retain any such property for such period of time as he or she may deem advisable without liability for depreciation or loss; to deposit any monies at any time constituting a part of my Estate in one or more banks, savings or commercial, in such form of account, whether or not interest-bearing, and without limitation as to the amount of any such account, or in the discretion of my Executor, to hold any such monies uninvested.

2. To lease real property for such period, with or without an option to purchase, and upon such terms as he or she may deem advisable.

3. To borrow money for any purpose whatsoever and to mortgage real property and pledge personal property as security for such loans.

4. To sell, exchange or otherwise dispose of any or all of my property, real or personal, at public or private sale, at any time and from time to time, for such consideration and upon such terms of credit as he or she shall deem advisable.

5. In making distribution of any property to persons entitled thereto hereunder, to convey, transfer, or pay over the same in kind or in money, or partly in kind and partly in money, and for such purposes to transfer and assign undivided interest in such property.

V

I direct that any funeral, burial and hospitalization expenses incurred for my benefit, as well as expenses incurred in the administration of my Estate including, but not limited to, the cost of

employing attorneys, accountants, appraisers and others, shall be paid by my Executor and treated as expenses of administering my Estate.

VI

I direct that any taxes imposed by the United States or any state thereof or any foreign country with respect to any property or interests passing under this Will shall be paid by my Executor and treated as an expense of my Estate.

VII

I hereby nominate and appoint CLAIRE A. RISOLDI as the Executrix hereunder. In the event that CLAIRE A. RISOLDI, is either unwilling or unable to act as Executrix, I then appoint CARL A. RISOLDI, to act as Executor in her place and stead.

I direct that no bond or other security shall be required of any Executrix or Executor acting hereunder for the faithful performance of his or her duties, any law of any state or jurisdiction to the contrary notwithstanding.

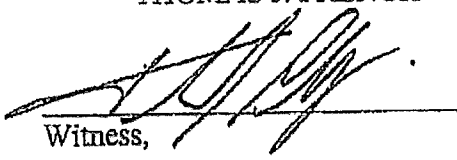
IN WITNESS WHEREOF, I, THOMAS J. FRENCH, have hereunto set my hand and seal this

12 day of September 2013.


THOMAS J. FRENCH


Witness,

E. Robert C. Jr.
Witness' Address


Witness,

P.O. Box 328 Phillips
MA 01901
Witness' Address

Y-201-07, FN, F007

Acknowledgment

Commonwealth of Pennsylvania

:

:SS

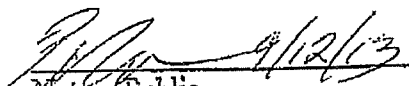
County of Bucks

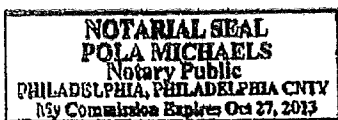
:

I, THOMAS J. FRENCH, the testator whose name is signed to the attached or foregoing instrument, having been duly qualified according to law, does hereby acknowledge that I signed and executed the instrument as my Last Will; and that I signed it willingly and as my free and voluntary act for the purposes therein expressed.


THOMAS J. FRENCH

Sworn to or affirmed and acknowledged before me by THOMAS J. FRENCH, the testator, this 12th day of SEPTEMBER, 2013.


Notary Public



Affidavit

Commonwealth of Pennsylvania

:

:SS

County of Bucks

:

We, Karel MORRIS and [Signature], the witnesses whose names are signed to the attached or foregoing instrument, being duly qualified according to law, do depose and say that we were present and saw the testator sign and execute the instrument as his Last Will; that the testator signed willingly and executed it as his free and voluntary act for the purposes therein expressed; that each subscribing witness in the hearing and sight of the testator signed the will as a witness; and that to the best of our knowledge the testator was at the time eighteen (18) or more years of age, of sound mind and under no constraint or undue influence.

[Signature]

[Signature]

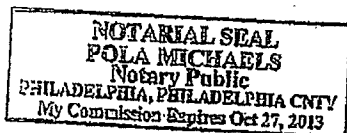
Sworn to or affirmed and subscribed to before me by

and

witnesses, this 12th day of

SEPTEMBER, 2013.

[Signature] 9/12/13
Notary Public



BEFORE THE REGISTER OF WILLS OF BUCKS COUNTY,
PENNSYLVANIA

NO. 2015-

In re:

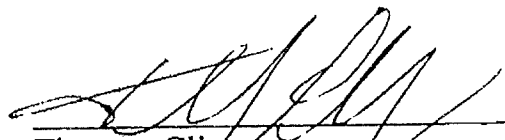
ESTATE of THOMAS JOHN FRENCH,
a/k/a THOMAS J. FRENCH, DECEASED

OATH OF SUBSCRIBING WITNESSES

KARL MORRIS and THOMAS CLINTON, each a subscribing witness to the Decedent's will dated September 12, 2013, a copy of which is attached hereto, each being duly qualified according to law, depose and say that they were present and saw the above Testator sign the will and that they signed the will as a witness, at the request of the Testator, in his presence in the presence of each other.

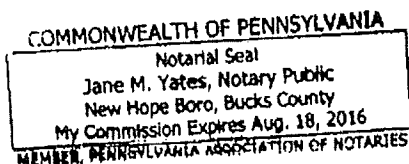

Karl Morris

Yardley, PA


Thomas Clinton
6585 Stump Road
Pipersville, PA 18947

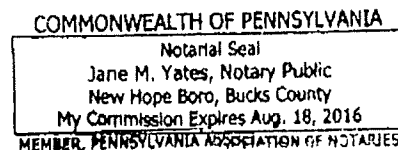
Sworn to or affirmed and subscribed
Before me this 5 day of 11/2015
2015.

Notary Public



Sworn to or affirmed and subscribed
before me this 5 day of 11/2015
2015.

Notary Public



ACKNOWLEDGEMENT of KARL MORRIS

COMMONWEALTH OF PENNSYLVANIA :
: ss.
COUNTY of BUCKS :

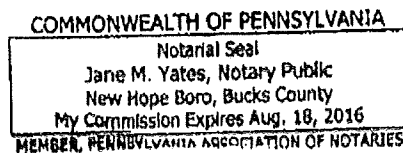
On this 5 day of MAY 2015, before me, Jane M. Yates, the undersigned officer, personally appeared Karl Morris known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Jane M. Yates
Notary Public

Print Name: Jane M. Yates

My Commission Expires: 8-18-16



ACKNOWLEDGEMENT of THOMAS CLINTON

COMMONWEALTH OF PENNSYLVANIA :

: ss.

COUNTY of BUCKS :

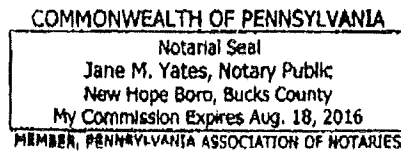
On this 5 day of May 2015, before me, Jane M. Yates, the undersigned officer, personally appeared Thomas Clinton, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument, and he acknowledged that he signed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Jane M. Yates
Notary Public

Print Name: Jane M. Yates

My Commission Expires: 8-18-16



PETITION FOR GRANT OF LETTERS

REGISTER OF WILLS OF

BUCKS

COUNTY, PENNSYLVANIA

Petitioner(s) named below, who is/are 18 years of age or older, apply(ies) for Letters as specified below, and in support thereof aver(s) the following and respectfully request(s) the grant of Letters in the appropriate form:

Claire Ann Risoldi-French

Decedent's Information

Name: Thomas John French

a/k/a: Thomas J. French

a/k/a: _____

a/k/a: _____

Date of Death: 02/05/2015

File No: 09

(Assigned by Register)

Social Security No: _____

Age at Death: 64

Decedent was domiciled at death in Bucks County, PA (State) with his/her last

principal residence at 5781 Stony Hill Road, New Hope 18938

Street address, Post Office and Zip Code

Buckingham

City, Township or Borough

Bucks

County

Decedent died at 4941 Danielle Drive

Street address, Post Office and Zip Code

Buckingham

City, Township or Borough

Bucks

County

PA

State

Estimate of value of decedent's property at death:

If domiciled in Pennsylvania..... All personal property \$ 25,000.00

If not domiciled in Pennsylvania..... Personal property in Pennsylvania \$ _____

If not domiciled in Pennsylvania..... Personal property in County \$ _____

Value of real estate in Pennsylvania..... \$ 25,000.00

TOTAL ESTIMATED VALUE \$ 50,000.00

Real estate in Pennsylvania situated at 400 Prospect Avenue

(Attach additional sheets, if necessary)

Street address, Post Office and Zip Code

Morrisville Borough

City, Township or Borough

Bucks

County

☒ **A. Petition for Probate and Grant of Letters Testamentary**

Petitioner(s) aver(s) that he/she/they is/are the Executor(s) named in the Last Will of the Decedent, dated 09/12/2013 and Codicil(s) thereto dated _____

State relevant circumstances (e.g., renunciation, death of executor, etc.)

Except as follows: after the execution of the instrument(s) offered for probate, Decedent did not marry, was not divorced, was not a party to a pending divorce proceeding wherein the grounds for divorce had been established as defined in 23 Pa. C.S. § 3323(g), and did not have a child born or adopted; and Decedent was neither the victim of a killing nor ever adjudicated an incapacitated person.

☒ **NO EXCEPTIONS** ☐ **EXCEPTIONS**

☐ **B. Petition for Grant of Letters of Administration**

(If applicable)

c.t.a., d.b.n., d.b.n.c.t.a., pendente lite, durante absentia, durante minoritate

If Administration, c.t.a or d.b.n.c.t.a., enter date of Will in Section A above and complete list of heirs.

Except as follows: Decedent was not a party to pending divorce proceeding wherein the grounds for divorce had been established as defined in 23 Pa. C.S. § 3323 (g) and was neither the victim of a killing nor ever adjudicated an incapacitated person.

☐ **NO EXCEPTIONS** ☐ **EXCEPTIONS**

Petitioner(s), after a proper search has/have ascertained that Decedent left no Will and was survived by the following spouse (if any) and heirs (attach additional sheets, if necessary):

Name	Relationship	Address

Oath of Personal Representative

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF Bucks)

SS:

Official Use Only

Petitioner(s) Printed Name Claire Ann Risoldi-French	Petitioner(s) Printed Address 5781 Stony Hill Road New Hope, PA 18938

The Petitioner(s) above-named swear(s) or affirm(s) the statements in the foregoing Petition are true and correct to the best of the knowledge and belief of Petitioner(s) and that, as Personal Representative(s) of the Decedent, Petitioner(s) will well and truly administer the estate according to law.

Sworn to or affirmed and subscribed before

me this _____ day of _____

By: _____
For the Register

Date _____
Date _____
Date _____
Date _____

BOND Required? ☐ YES ☐ NO

FEES:

Letters..... \$ _____
() Short Certificate(s).....
() Renunciation(s).....
() Codicil(s).....
() Affidavit(s).....
Bond.....
Commission.....
Other.....
Automation Fee.....
JCS Fee.....
TOTAL..... \$ _____

To the Register of Wills:

Please enter my appearance by my signature below:

Attorney Signature: _____	
Printed Name:	Peter Nelson Harrison
Supreme Court ID Number:	05164
Firm Name:	Peter N. Harrison
Address:	107 East Court Street P.O. Box 6 Doylestown, PA 18901
Phone:	(215) 348-5322
Fax:	_____
E-mail:	peter.harrison5@verizon.net

DECREE OF THE REGISTER

Estate of **Thomas John French**
a/k/a: **Thomas J. French**

Date of Death: **02/05/2015**
Social Security No: **[REDACTED]**
File No: **09**

AND NOW, _____, in consideration of the foregoing Petition, satisfactory proof having been presented before me, IT IS DECREED that Letters **Testamentary** are hereby granted to **Claire Ann Risoldi-French**

in the above estate and (if applicable) that the instrument(s) dated **09/12/2013** described in the Petition be admitted to probate and filed of record as the last Will (and Codicil(s)) of Decedent.

Register of Wills